

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Danny G King, and  
Tina M. King,

Civil No.: 12cv1575 (DSD/SER)

Plaintiffs,

v.

Lucius Luther,  
Jacob Christenson,  
Nancy Lange, and  
Joanne Gruber,

**ORDER**

Defendants.

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The above-captioned case comes before the undersigned on the Report and Recommendation of United States Magistrate Judge Steven E. Rau. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiffs' applications seeking leave to proceed *in forma pauperis*, (Docket Nos. 2, 3 and 10), is DENIED;
2. Plaintiff Danny G. King is required to pay the unpaid balance of the statutory filing fee, namely \$325.00, in accordance with 28 U.S.C. § 1915(b)(2);
3. The dismissal of this action is counted as a "strike" against Plaintiff Danny G. King for purposes of 28 U.S.C. § 1915(g);
4. Plaintiffs' collateral motions seeking appointment of counsel, (Docket No. 12), and a "WRIT OF HABEAS CORPUS Ad TESTIFICANDUM." (Docket No. 13), is DENIED; and
5. This action is summarily DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 28, 2012

s/David S. Doty  
David S. Doty, Judge  
U.S. District Court